

**BOARD OF PAROLE HEARINGS  
Executive Board Meeting  
Tuesday, January 17, 2017**

**OPEN SESSION**

***(All times are approximate and subject to change.)***  
**[http://www.cdcr.ca.gov/BOPH/meeting\\_agenda.html](http://www.cdcr.ca.gov/BOPH/meeting_agenda.html)**

1515 K Street  
Executive Board Meeting Room  
Suite 550  
Sacramento, California 95814

**START TIME: 1:00 p.m.**

**AGENDA**

**MEETING CALLED TO ORDER**

1. Roll Call

**CONSENT CALENDAR**

2. Approval of the Draft Minutes from the December 18 and 19, 2016 Board of Parole Hearings Executive Board Meeting.
3. Approval of the Parole Suitability Hearings and Backlog Report for January 2017.
4. Approval of Motions for Hearings with Procedural Errors – No motions to consider.
5. Public Comment on Consent Calendar – Comments are limited to five minutes. Items on the consent calendar are considered routine and non-controversial. All matters are approved by one motion unless a Board Member requests separate action.

**REPORTS**

6. Report from Chief Deputy of Field Operations
  - Introduction of New Deputy Commissioners and Associate Chief Deputy Commissioner
7. Report from Chief Psychologist, Forensic Assessment Division
  - Risk Assessment Workload Update

**OPEN COMMENTS**

8. BPH Commissioners – Agenda Items for Future Meetings
9. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. However, the Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

**MEETING RECESSED TO WEDNESDAY, JANUARY 18, 2017**

**For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinators at (916) 445-6631 or (916) 323-7997, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code Section 171b.**

**BOARD OF PAROLE HEARINGS  
Executive Board Meeting  
Tuesday, January 17, 2017**

**CLOSED SESSION**

*(All times are approximate and subject to change.)*

1515 K Street  
Executive Board Conference Room  
Sacramento, California 95814

**START TIME: 2:00 p.m.**

**DISCUSSION**

**Consideration of Matters Posing a Threat or Potential Threat of Criminal Activity**

Pursuant to Government Code section 11126(c)(18)

*(A Board may meet in closed session to consider matters posing a threat or potential threat of criminal activity against the personnel, property, buildings, facilities, or equipment, including electronic data, where disclosure of these considerations could compromise or impede safety or security.)*

**Issue**

1. Security Threat Groups, presented by Joseph Beeson, Senior Special Agent, Office of Correctional Safety, CDCR

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**BOARD OF PAROLE HEARINGS  
Executive Board Meeting  
Wednesday, January 18, 2017**

**CLOSED SESSION**

*(All times are approximate and subject to change.)*

1515 K Street  
Executive Board Conference Room  
Sacramento, California 95814

**START TIME: 9:00 a.m.**

**DISCUSSION**

**Overview of Facts and Circumstances with Significant Exposure to Litigation**

Pursuant to Government Code section 11126(e)(2)(B)(i)

*(For purposes of this subdivision, litigation shall be considered pending when any of the following circumstances exist: A point has been reached where, in the opinion of the state body on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the state body.)*

**Issue**

1. *Coleman/Plata v. Brown* (E.D. Cal., Case No. 2:90-CV-0520 LKK JFRM P and N.D. Cal., Case No. C01-1351 THE)(pending), presented by Jennifer Shaffer, Executive Officer, and Jennifer Neill, Chief Counsel

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**BOARD OF PAROLE HEARINGS  
Executive Board Meeting  
Wednesday, January 18, 2017**

**OPEN SESSION**

***(All times are approximate and subject to change.)***

1515 K Street  
Executive Board Meeting Room  
Suite 550  
Sacramento, California 95814

**START TIME: 10:00 a.m.**

**AGENDA**

**MEETING RECONVENED (Continued from January 17, 2017)**

10. Roll Call

**REPORTS**

11. Report from Executive Officer

- CDAA Winter Workshop
- Three Judge Court Monthly Status Report

12. Report from Chief Counsel

- Introduction of New Staff
- Update on *In re Butler*

**EN BANC REFERRALS**

13. Referral pursuant to Penal Code section 1170(e) to determine eligibility for recommendation to sentencing court for recall of sentence. Members of the public may address the Board for a period not to exceed five (5) minutes.

**A. MCCURDY, KENNETH                      C-76230**  
Sentencing Court:  
Kern

14. Referral to consider for a rescission hearing pursuant to California Code of Regulations, title 15, section 2450 et seq. Members of the public may address the Board for a period not to exceed five (5) minutes.

**B. MARCIEL, EDWARD                      H-00013                      To consider new information**  
Sentencing Court:                      **regarding Mr. Marciel's involvement**  
Riverside                      **in a security threat group.**

15. Referral by the Governor pursuant to Penal Code section 3041.1 and California Code of Regulations, title 15, section 2044(b) to request review of a parole decision by the full board. Members of the public may address the Board for a period not to exceed five (5) minutes.

**C. DAVIS, MICHAEL                      H-08904**  
Sentencing Court:  
San Diego

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**D. WILLIAMS, VOLTAIRE**  
Sentencing Court:  
Los Angeles

**E-17796**

**OPEN COMMENTS**

16. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. However, the Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

The decisions in the above hearings will be posted as soon as they are finalized in the lobby on the ground floor of 1515 K Street. They will also be posted within 24 hours on the BPH internet page at the following address: [www.cdcr.ca.gov/BOPH/enbanc.html](http://www.cdcr.ca.gov/BOPH/enbanc.html).

**CLOSED SESSION – EN BANC REFERRALS**

Pursuant to Government Code section 11126(c)(4)

*("...[N]or shall anything in this article be construed to prevent a state body from holding a closed session when considering and acting upon the determination of a term, parole, or release of any individual or other disposition of an individual case, or if public disclosure of the subjects under discussion nor consideration is expressly prohibited by statute.")*

**ADJOURNMENT**

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